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Clerk, U.S. District Court
Juneau, AK

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

Joe Trump AKA Not Murkowski Stephens)

Plaintiff,)

v.)

Alaska Division of Elections, State of Alaska)

Defendant)

Case No.

1:21-CV-00018-RRB

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

Dated: October 28, 2021

Joe Trump AKA Not Murkowski Stephens

Case Name _____

Case No. _____

1

INTRODUCTION AND SUMMARY OF CLAIMS

1. In August of 2021, the Plaintiff, Joe Trump AKA Not Murkowski Stephens, filed a statement of candidacy with the Alaska Division of Elections stating the intent to run for United States Senate in 2022.

2. The statement of candidacy requested the use of the name "Joe T. Stephens", with the Plaintiff's middle names of "Trump AKA Not Murkowski" to appear on the ballot as a nickname.

3. In September of 2021, the Defendant, Alaska Division of Elections, sent a letter to the plaintiff with the ruling that the only name to appear on the ballot for the above mentioned candidate for United States Senate was "Stephens, Joe". Additionally, the Plaintiff's middle names requested to be used as a nickname "Trump AKA Not Murkowski" would not appear on the ballot.

Plaintiff seeks injunctive and declaratory relief to compel the Defendant, Alaska Division of Elections, to act in allowing the Plaintiff's full legal name, that of "Joe Trump AKA Not Murkowski Stephens" to be used on the ballot for the primary to be held in 2022 for the election to United States Senate and any subsequent elections for United States Senate.

JURISDICTION

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331. (federal question jurisdiction)
5. Venue lies in this district under 28 U.S.C. § 1391 (b)(1).

STATEMENT OF FACTS

6. The sole Plaintiff, “Joe Trump AKA Not Murkowski Stephens” was born on November 1 of 1975 in the City of New York, within the State of New York, within the United States of America. The Plaintiff has been a citizen of the United States of America since his birth to the present day.
7. On June 24 of 2021 the sole Plaintiff legally changed his name to “Joe Trump AKA Not Murkowski Stephens”. A court order with the sole Plaintiff’s new name was issued on this day.
8. On August 4 of 2021 the sole Plaintiff having resided in the Borough of Ketchikan, State of Alaska for more than one year in duration filed an application to vote in the State of Alaska as a resident of the State and citizen of The United States of America.

9. On August 10 of 2021 the sole Plaintiff filed a statement of candidacy with the Alaska Division of Elections stating his intent to run for United States Senate in 2022. This statement of candidacy requested the use of his name "Joe T. Stephens", with his middle name of "Trump AKA Not Murkowski" to appear on the ballot as a nickname.

10. The aforementioned statement of candidacy was sent to the Defendant, Alaska Division of Elections, State of Alaska at Juneau, Alaska.

11. On September 7th of 2021, the Defendant, Alaska Division of Elections, sent a letter to the plaintiff with the ruling that the middle names requested to be used as a nickname "Trump AKA Not Murkowski" would not appear on the ballot.

VIOLATION OF RIGHTS UNDER THE CONSTITUTION

12. The United States Constitution states that the qualifications to run for US Senate are the following, (1) person who has attained the age of 30 years, (2) person who has nine years been a citizen of the United States of America, and (3) resident in the state to be represented at the time of the election. Being that the Plaintiff meets these three qualifications it is a violation of his rights under the Constitution of the United States of America to interfere with his ability to run for election as a US Senator in the State of Alaska.

13. The ruling of the Defendant, Alaska Division of Elections, not to allow the Plaintiff to utilize his complete middle name on the ballot irreparably harms the Plaintiff in two specific ways.

First, the Plaintiff's first and last name are both common names in the United States of America. Taken together this name does not clearly identify the candidate as the candidate running for office. Since there are numerous others with this name it will no doubt cause confusion as to what candidate is actually running for Senate and further confusion as to what the candidate's positions are, on the issues of the nation. This confusion clearly harms the Plaintiff and causes interference with his ability to run for US Senate which is his constitutional right.

Second, the Plaintiff changed his middle name to show his support for the former President of the United States, Donald Trump, and to show his lack of support for the current Senator of Alaska, Lisa Murkowski. It is in no way illegal to change one's name for these reasons, as this name change was done not to frustrate a legitimate law enforcement purpose, nor to commit fraud, nor to impersonate another person. Since the name change of the Plaintiff to "Joe Trump AKA Not Murkowski Stephens" is completely legitimate the Defendants ruling to not allow the name on the ballot causes the Plaintiff harm by disallowing the Plaintiff to show his support of the former President of the United States, Donald Trump, via the completely legitimate method of changing his name. This inability to show his support and lack of support of other

politicians via a legal name change is clear interference with the Plaintiff's ability to run for US Senate which is his constitutional right.

14. The State of Alaska allows the use of nicknames on the ballot. The use of a nickname alone, therefore, can't be used as disqualification of a ballot based on the facilitation of fairness, simplicity, and clarity in the voting procedure. Since, The State of Alaska already allows the use of nicknames on the ballot, it in no way inconveniences the Defendant, Alaska Division of Elections, to allow the Plaintiff to utilize his middle names of "Trump AKA Not Murkowski" as a nickname.

15. Finally, It will take a considerable amount of time to print the necessary ballots for the entire State of Alaska, therefore, this matter is of the utmost urgency.

INJUNCTIVE RELIEF IS NECESSARY

16. Plaintiff is presently and continuously injured by the Defendant's ruling regarding use of his middle names on the election ballot as this violates the Plaintiff's rights under the Constitution to take part in an election to the United States Senate. If not enjoined by this Court, the Defendant will continue to enforce the ruling in derogation of the Plaintiff's constitutional rights. Damages are indeterminate or unascertainable and, in any event, would not fully redress any harm suffered by the Plaintiff because he is unable to engage in a constitutionally protected activity without interference due to the Alaska Division of Elections ongoing enforcement of their ruling.

DECLARATORY JUDGMENT IS NECESSARY

17. There is an actual and present controversy between the parties.

The Plaintiff contends that the ruling to disallow the use of the Plaintiff's middle names on the election ballot interferes with the Plaintiff's right to run for election as a US Senator in the State of Alaska.

The Defendant, Alaska Division of Elections, asserts that allowing the use of the Plaintiff's middle names will not facilitate fairness, simplicity, and clarity in the voting procedure, to reflect most accurately the intent of the voter.

The Plaintiff desires a judicial declaration that use of a full legal name on a ballot is a protected right under the Constitution of the United States of America given no fraud or impersonation is attempted.

REQUESTED RELIEF WHEREFORE,

WHEREFORE, Plaintiff requests that this Court:

(1) Declare that the Alaska Division of Elections ruling to disallow the use of the Plaintiff's middle names of "Trump AKA Not Murkowski" on the ballot as a nickname is

contrary to a citizen's right to a fair election under the Constitution of the United States of America.

(2) Issue a preliminary injunction to compel the Defendant, Alaska Division of Elections, their officers, agents, and employees to act in allowing the Plaintiff's full legal name, "Joe Trump AKA Not Murkowski Stephens", to be used on the ballot for the primary to be held in 2022 for the election to United States Senate and any subsequent elections for United States Senate, until a permanent decision can be reached.

(3) Issue a permanent injunction to compel the Defendant, Alaska Division of Elections, their officers, agents, and employees to act in allowing the Plaintiff's full legal name, "Joe Trump AKA Not Murkowski Stephens", to be used on the ballot for the primary to be held in 2022 for the election to United States Senate and any subsequent elections for United States Senate.

(4) Award Plaintiff costs and reasonable attorneys' fees incurred in this action; and

(5) Grant such other relief the Court may deem just and proper.

Dated: October 28, 2021


Joe Trump AKA Not Murkowski Stephens

Plaintiff

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